

Image
Serial No. 10/064,408

Docket No. 121118

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: S.A. Salamah et al.
Serial No.: 10/064,408

Filed: July 10, 2002

For: Molten Hydride Fuel Cell

**EXPLANATION OF RELEVANCE PER 37 C.F.R. §1.98(a)(3)(i)
FOR DISCLOSED PATENT NOT IN ENGLISH LANGUAGE**

Assistant Director of Patents and Trademarks
United States Patent and Trademark Office
Washington, DC 20231

Sir:

The attached Supplemental Information Disclosure Statement contains a reference, obtained from a European Patent Office Search Report, that is not in the English Language. The reference is German Patent No. DE 37 30 209 A1. This reference describes an electrochemical cell. The cell has solid electrodes made of material, such as nickel, palladium, vanadium, zirconium, niobium, etc., that is chemically inert with hydrogen while allowing fast hydrogen permeation (col. 5, lines 16-20). The cell further contains an electrolyte designed to selectively pass hydrogen ions between electrodes. The electrolyte typically contains up to about 5 weight percent metal hydride, with 1%-2% metal hydride being the preferred range (col. 5, lines 43-62).

For more information on the content of this patent, Applicants have included a copy of U.S. Patent 4,833,046, which is the U.S. member of the same patent family as the disclosed German patent. Applicants believe, to the best of their knowledge, that the U.S. Patent is substantially an English translation of the German patent. Applicants believe that, with the disclosure of the German patent and the inclusion of the U.S. patent and this accompanying statement, they have duly met their duties under 37 C.F.R. 1.98 (a)(3)(i) and (a)(3)(ii).

Respectfully submitted,

Paul DiConza

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Schenectady, New York
Wednesday, January 07, 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Santo Armando Salama et al.

: Group Art Unit: 1745

Serial No.: 10/064,408

: Examiner:

Filed: July 10, 2002

For MOLTEN HYDRIDE FUEL CELL

SUPPLEMENTAL INFORMATION
DISCLOSURE STATEMENT

- ☒ 1 **Pursuant to 37 CFR 1.97(b)**
[within 3 months of national, non-CPA filing or prior to 1st Office Action] *no charge*
- ☐ 2 **Certification Pursuant to 37 CFR 1.97(c)(1)**
[before Final Office Action, Allowance, or other action closing prosecution] *no charge*
- ☐ 3 **Fee Payment Pursuant to 37 CFR 1.97(c)(2)**
[before Final Office Action, Allowance, or other action closing prosecution] *\$180.00*
- ☐ 4 **Certification & Fee Payment Pursuant to 37 CFR 1.97(d)**
[On or before issue fee payment] *\$180.00*

ATTN: BOX PATENT APPLICATION
Honorable Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

The following are submitted in the above identified application in compliance with 37 CFR 1.97 & 37 CFR 1.98:

- ☒ 5 A list of documents on form PTO-1449 or Substitute together with copies of each identified document and a translation thereof or a concise explanation of each non-English language document or a Search Report from an International Searching Authority for a patent application filed via the Patent Cooperation Treaty or document(s) cited in the application or the priority application.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on the date indicated below.

Date of Deposit_____
Type or Print Name_____
Signature

This paper is submitted in accordance with:

- ☒ 6 37 CFR 1.97(b): [within 3 months of national, non-CPA filing or prior to 1st Office Action]
- ☐ 7 37 CFR 1.97(c): [before Final Office Action, Allowance, or other action closing prosecution, whichever is earlier]; and
- ☐ 8 The required Certification made in item 11 below; or
- ☐ 9 The \$180.00 fee specified in 37 CFR 1.17(p) for submission of this Information Disclosure Statement is authorized in item 15 below.
- ☐ 10 37 CFR §1.97(d): [On or before issue fee payment]; and
- a) The required Certification is stated in item 11 below; and
- b) The \$180.00 fee specified in 37 CFR 1.17(p) for submission of this Information Disclosure Statement is authorized in item 14 below.
- ☐ 11 Certification
- ☐ 12 Each item of information contained in this Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement; or
- ☐ 13 No item of information contained in this Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing this document after making reasonable inquiry, no item of information contained in this Statement was known to any individual designated in 37 CFR 1.56(c) more than three (3) months prior to the filing of this Statement.
- ☐ 14 Payment of all applicable fees:
- ☒ 15 Please charge all applicable fees associated with the submittal of this Information Disclosure Statement and any other fees applicable to this application to Deposit Account No. 07-0868. An original and two (2) copies of this document are enclosed.

Respectfully submitted,

13 Jan 2004
Date

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FORM PTO-1449
(REV. 7-80)
(Title Amended 3/83)

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

ATTY. DOCKET NO.

121118

SERIAL NO.

10/064,408

INFORMATION DISCLOSURE STATEMENT BY APPLICANT--
LIST OF ITEMS

(Use several sheets if necessary)

Applicant

Samir Armando Salamah et al.

Filing Date

July 10, 2002

Group

1745

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA 4 8 3 3 0 4 6	05/23/89	Roy			
	AB					
	AC					
	AD					
	AE					
	AF					
	AG					
	AH					
	AI					
	AJ					
	AK					

FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	No
	AL 3 7 3 0 2 0 9	03/24/88	DE				
	AM						
	AN						
	AO						
	AP						

OTHER INFORMATION (Including Author, Title, Date, Pertinent pages. Etc.)

AR	G. Deublein et al., "HYDROGEN-CONDUCTING ELECTROLYTE CONFIGURATIONS", "Solid State Ionics 28-30 (1988) September, Part II, Amsterdam, NE, pgs. 1084-1088.
AS	R. Poydot, "An Innovative H ₂ /O ₂ Fuel Cell Using Molten Hydride Electrolyte - A Molten Hydride Electrolyte Fuel Cell (MHFC)", January 23, 2003, XP-002260837, pgs. 1-4.
AT	

EXAMINER

DATE CONSIDERED

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.